

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOHN WILLIAM WALLACE,

Petitioner,

vs.

STATE OF WASHINGTON,

Respondent.

NO. CV-12-5055-EFS

**ORDER DENYING *IN FORMA*
PAUPERIS STATUS AND DISMISSING
PETITION WITHOUT PREJUDICE**

By Order filed May 7, 2012, the Court instructed Petitioner John William Wallace to either pay the \$5.00 filing fee for this action or to complete and file an Application to Proceed without Prepayment of Fees and Affidavit within twenty-one days. ECF No. 2. Specifically, the Court directed Petitioner to have the "Certificate" section completed by an Authorized Officer of the jail. *Id.* The application received on May 23, 2012, did not comply with these directives. ECF No. 3. It is unsigned and incomplete.

On June 7, 2012, the Court received Petitioner's document titled "Writ of Pauperis." ECF No. 5. This document does not cure Petitioner's failure to pay the filing fee or submit a completed *in forma pauperis* application. Accordingly, **IT IS ORDERED** the application

1 to proceed *in forma pauperis* is **DENIED** and the petition is **DISMISSED**
2 **without prejudice** for failure to comply with Rule 3(a), Rules Governing
3 Section 2254 Cases in the United States District Courts.

4 **IT IS SO ORDERED.** The District Court Executive is directed to
5 enter this Order, enter judgment and forward copies to Petitioner. The
6 Court further certifies that pursuant to 28 U.S.C. § 1915(a)(3), an
7 appeal from this decision could not be taken in good faith, and there is
8 no basis upon which to issue a certificate of appealability. 28 U.S.C.
9 § 2253(c); Fed. R. App. P. 22(b).

10 **DATED** this 12th day of June 2012.

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12 S/ Edward F. Shea
13 EDWARD F. SHEA
14 UNITED STATES DISTRICT JUDGE

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